

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 Case No.: 3:23-cv-00311-ART-CSD

4 COREY WAYNE BOOTH,

5 Plaintiff

6 v.

7 WASHOE COUNTY COMMISSIONERS, et  
al.,

8 Defendants

**Order**

Re: ECF Nos. 8, 12

9  
10 Plaintiff filed a motion for issuance of subpoenas (ECF No. 8) and a motion for an  
extension of time to file the USM-285 forms with the U.S. Marshals Office (ECF No. 12).

11 On January 31, 2024, the court granted Plaintiff's application to proceed *in forma*  
12 *pauperis* (IFP) and screened Plaintiff's complaint and allowed him to proceed with the following  
13 claims: Fourteenth Amendment claims of indifference to his medical needs and unsafe jail  
14 conditions against Washoe County Commissioners and the City of Reno Municipality City  
15 Commissioners under a theory of municipal liability; and as well as claims under the Americans  
16 with Disabilities Act (ADA) and Rehabilitation Act (RA) against Washoe County  
17 Commissioners and the City of Reno Municipality City Commissioners and Darin Balaam. (ECF  
18 No. 5.) The court directed the Clerk to issue summonses for each of the Defendants to be  
19 delivered to the U.S. Marshal for service, along with sufficient copies of the complaint. The  
20 court also directed the Clerk to send Plaintiff three USM-285 forms, and the court gave Plaintiff  
21 30 days to furnish to the U.S. Marshal the required USM-285 forms with relevant information as  
22 to each defendant on each form. (*Id.*)  
23

1 The Clerk issued the summonses for the three defendants and sent them to the U.S.  
2 Marshals pursuant to the court's order. (ECF No. 6.) Therefore, Plaintiff's motion for issuance of  
3 subpoenas is denied as moot.

4 The court will, however, grant Plaintiff's motion for an extension of time to furnish the  
5 required USM-285 forms to the U.S. Marshal.

### 6 CONCLUSION

7 Plaintiff's motion for issuance of subpoenas (ECF No. 8) is **DENIED AS MOOT** as the  
8 subpoenas have already been issued and delivered to the U.S. Marshal.

9 Plaintiff's motion for an extension of time to furnish the USM-285 forms to the U.S.  
10 Marshal (ECF No. 12) is **GRANTED**.

11 The Clerk shall **SEND** Plaintiff a copy of the screening order (ECF No. 5) to his new  
12 address of record. The Clerk shall also **SEND** Plaintiff **3** USM-285 forms. Plaintiff has **30 days**  
13 from the date of this Order to furnish to the U.S. Marshal the required USM-285 forms with the  
14 relevant information as to each Defendant on each form.

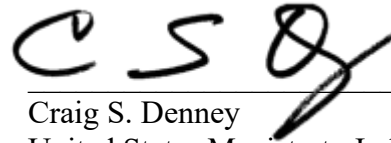
15 Within **20 days** after receiving from the U.S. Marshal a copy of the USM-285 forms  
16 showing whether service has been accomplished, Plaintiff must file a notice with the court  
17 identifying any defendant who was not served, if any. If Plaintiff wishes to have service  
18 attempted again on an unserved defendant(s), then he must file a motion with the court  
19 identifying the unserved defendant(s) and specifying a more detailed name and/or address for  
20 said defendant(s), or whether some other manner of service should be attempted.

21 The court will also give Plaintiff an additional **90 days** from the date of this Order to  
22 complete service on each of the defendants. If service is not timely completed, the defendant(s)  
23

1 may be dismissed from this action without prejudice pursuant to Federal Rule of Civil Procedure  
2 4(m).

3 **IT IS SO ORDERED.**

4 Dated: May 1, 2024

5   
6 Craig S. Denney  
7 United States Magistrate Judge